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Attorneys for the United States of America

IN THE UNITED STATES DISTRICT COURT FOR THE  
EASTERN DISTRICT OF CALIFORNIA - AT SACRAMENTO

DAVID S. SAVAGE,

Plaintiff,

v.

UNITED STATES OF AMERICA,

Defendant.

UNITED STATES OF AMERICA,

Counterclaim Plaintiff,

v.

DAVID S. SAVAGE and PHYLISS SAVAGE,

Counterclaim Defendants.

Civil No. CIV.S-04-2316 WBS KJM

**STIPULATED APPLICATION FOR  
EXTENSION OF HEARING ON  
SUMMARY JUDGMENT MOTION  
(THIRD REQUEST) AND [PROPOSED]  
ORDER**

Currently before the Court is defendant the United States of America's Motion for Summary Judgment against Plaintiff David Savage. Plaintiff David Savage has filed his response in opposition, and the United States has filed its reply.

The hearing on said motion is currently set for January 23, 2006 at 10:00 a.m. (PST) in Courtroom 5. The parties respectfully apply and hereby stipulate, pursuant to LR 83-143 and LR

6-144, to an extension of time to continue the hearing to Friday, February 10, 2006 at 10:00 a.m. in Courtroom 5 before the Honorable Judge Shubb. This is the Parties' third application for an extension of time and is requested because counsel for the United States, who is based in Washington, D.C., has another hearing in Sacramento on Friday morning, February 10, 2006.

Respectfully submitted this 13<sup>th</sup> day of January, 2006.

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Attorney for plaintiff

**ORDER**

IT IS SO ORDERED. Please do not request any more continuances.

DATED: January 18, 2006

A handwritten signature in black ink, reading "William B. Shubb", written over a horizontal line.

WILLIAM B. SHUBB  
UNITED STATES DISTRICT JUDGE